



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

June 25, 2004

Teresa J. Dunham
Senior Environmental Analyst
Bristol Environmental and Engineering Services Corporation
2000 W. International Airport Road #C-1
Anchorage, Alaska 99502

Re: Nondalton Solid Waste Disposal Project

Dear Ms. Dunham:

The National Marine Fisheries Service (NMFS) has reviewed your request for information regarding resources of NMFS' concern in support of the Nondalton Solid Waste Disposal Project. The City of Nondalton, in cooperation with the State of Alaska Village Safe Drinking Water Program and the U.S. Department of Agriculture Rural Utilities Service, is planning to design and construct a new landfill and close the existing dumpsite at Nondalton, Alaska.

Based on the map provided depicting the general project area NMFS offers the following information under the Endangered Species Act (ESA), the Marine Mammal Protection Act (MMPA) and the Essential Fish Habitat (EFH) provisions of the Magnuson-Stevens Fishery Conservation Management Act (Magnuson-Stevens Act).

Threatened and Endangered Species

Section 7(a)(2) of the ESA directs interagency cooperation "to insure that any action authorized, funded, or carried out by such agency is not likely to jeopardize the continued existence of any endangered species or threatened species" or result in the destruction or adverse modification of critical habitat. NMFS Alaska Region is responsible for the administration of the ESA as it applies to certain cetaceans, pinnipeds, and marine fish. These include several species of whales, Pacific salmon, and Steller sea lions.

The information you provided indicates that work would occur inland. Due to the inland location of your project, threatened and endangered species under our jurisdiction will not occur in the vicinity of the project site, and critical habitat for those listed species would not be affected. Additional information regarding the ESA is available on our website at <http://www.fakr.noaa.gov/protectedresources/default.htm>.

Marine Mammal Protection Act

The MMPA of 1972 is the principal Federal legislation that guides marine mammal protection and conservation policy. Under the MMPA, NMFS is responsible for the management and conservation of whales, dolphins, porpoise, seals, sea lions, and fur seals. Due to the inland



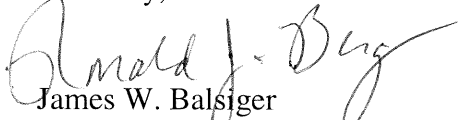
location of your project it is unlikely that any of these species would occur in the vicinity of the project site.

Magnuson-Stevens Fishery Conservation and Management Act

Section 305(b)(2) of the Magnuson-Stevens Act requires interagency consultation for any federal action that may adversely affect EFH. The North Pacific Fishery Management Council has not identified EFH in the vicinity of the proposed project. Additional information regarding EFH is available on our website at <http://www.fakr.noaa.gov/habitat/efh.htm>.

If you have questions concerning endangered species issues please contact Mr. Brad Smith at (907) 271-3023. Questions regarding EFH should be addressed to Ms. Jeanne Hanson at (907) 271-3029.

Sincerely,


James W. Balsiger
Administrator, Alaskan Region

For